

5063. Misbranding of "S. B. Cough & Consumption Remedy." U. S. * * *
v. Blumauer-Frank Drug Co., a corporation. Plea of guilty. Fine,
\$100. (F. & D. No. 7217. I. S. No. 17271-k.)

On June 2, 1916, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Blumauer-Frank Drug Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 2, 1915, from the State of Oregon into the State of Washington, of a quantity of an article labeled in part "S. B. Cough & Consumption Remedy," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was a hydroalcoholic solution consisting essentially of morphine sulphate, chloroform, tar, sugar, and traces of umbelliferone-like principle.

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing on its labels falsely and fraudulently represented it as a remedy for consumption, whooping cough, influenza, hoarseness, and anything which has a tendency toward consumption, when, in truth and in fact, it was not.

On August 12, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*